

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

MANETIRONY CLERVRAIN,

Plaintiff,

vs.

STEVE DAINES, et al.,

Defendants.

Cause No. CV 21-137-BLG-SPW

ORDER

On December 30, 2021, Plaintiff Manetirony Clervrain moved to proceed in forma pauperis with a “Complaint for Violation of Civil Rights.” *See* Compl. (Doc. 3) at 2.

**I. The Plaintiff**

The only plaintiff in this case is Manetirony Clervrain. *See* Order (Doc. 5) at 1 ¶ II. Clervrain is the only person who has signed any complaint. *See* Am. Compl. (Doc. 7) at 13; Compl. (Doc. 3) at 13. He is not an attorney admitted to the Bar of this Court. He cannot represent anyone else.

Since January 4, Ronaldo Jean, who is not a party, has electronically filed 697 pages of unsigned and undated documents. Jean filed Documents 7 through 18. The amended complaint is Document 7. Because Clervrain's signature appears on the amended complaint (Doc. 7), *see* Am. Compl. (Doc. 7) at 13, the Court will consider that document. Documents 8 through 18 are stricken and will not be considered for any purpose.

## **II. Motion to Proceed In Forma Pauperis**

On January 4, 2022, the Court denied Clervrain's motion to proceed in forma pauperis because it was based on a seven- to ten-month old application. *See* Order (Doc. 5) at 1, 3 ¶ 1. On January 12, 2022, Manetirony submitted what appears to be the same document, except that it is twelve months old and is not signed at all. *See* D. Mont. L.R. 11.1(b) (Dec. 1, 2019). The Court has no confidence in its accuracy or currency. Leave to proceed in forma pauperis is denied.

## **III. The Amended Complaint**

The Court dismissed Clervrain's original complaint for failure to state a claim on which relief may be granted. It also gave Clervrain an opportunity to cure the defects of his complaint. He was required to "concisely state, as to each defendant he intends to sue, what that defendant did or failed to do, when and where, and how Clervrain was harmed by the defendant's act or omission to act."

Order (Doc. 5) at 2–3.

It appears that Clervrain simply resubmitted the same pleading. At any rate, the amended complaint fails to cure the defects of the original.

#### **IV. Certification for Purposes of Appeal**

Leave to proceed in forma pauperis is denied. The Court also certifies that any appeal of this disposition would not be taken in good faith. *See* Fed. R. App. P. 24(a)(3)(A), (4)(A), (B). Given an opportunity to state what each defendant did to harm him, Clervrain not only failed to do so, but he also evidently failed to modify his pleading at all. He is not acting in good faith.

Accordingly, IT IS ORDERED:

1. The clerk shall immediately terminate electronic filing capability for Ronaldo Jean. He is not a party to this action or any other action in the District of Montana.

2. Documents 8 through 18 are STRICKEN.

3. Leave to proceed in forma pauperis is DENIED.

4. The amended complaint (Doc. 7) is DISMISSED WITH PREJUDICE and without further leave to amend for failure to state a claim on which relief may be granted.

5. The clerk shall enter, by separate document, a judgment of dismissal with prejudice.

6. The Court CERTIFIES that any appeal of this disposition would not be taken in good faith.

DATED this 11<sup>th</sup> day of February, 2022.



Susan P. Watters  
United States District Court